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U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

November 25, 1988



REPLY TO: S0-125
ATTN OF:

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HEARINGS CLERK
EPA-REGION X

David Blount, Esq.
540 Ben Franklin Plaza
One S.W. Columbia
Portland, Oregon 97258

Re: S. J. Nudelman and Son, Incorporated
Docket No. 1088-09-33-2615

Dear Mr. Blount:

Enclosed is a copy of the Motion, Stipulation, and Order extending time to file an answer in the above-entitled matter to December 30, 1988, pursuant to our telephone conversation of November 18, 1988.

Also enclosed are Analytical Reports received from the Oregon State Department of Environmental Quality Laboratories, analyzing the samples, obtained by Ron Culver, that are referenced in the Complaint.

As we discussed, I have arranged a telephone settlement conference for December 13, 1988, at 10 a.m. I will telephone your office number, (503) 227-4420, at that time unless you instruct me otherwise.

To facilitate our settlement discussions, we advise that prior to the settlement conference you send us documentation that the transformer referenced in Violation One of the Complaint is not a PCB transformer and that the electrical equipment referenced in Violation Two of the Complaint is not PCB-contaminated equipment. Such documentation should consist of either records matching the equipment described in the Complaint with equipment received from BPA by serial number, or written documentation from the manufacturer of the equipment that the equipment is not PCB or PCB-contaminated. If your client is unable to provide us with either of these types of documentation, then your client has a third option--that of testing the equipment in question and providing us with documentation of the results of the test reflecting that the equipment is not PCB or PCB-contaminated.

Please telephone me at (206) 442-1810 if you have any questions concerning this letter or the upcoming settlement conference.

Sincerely,

Deborah E. Hilsman
Deborah E. Hilsman
Assistant Regional Counsel

Enclosure

ORDER

In accordance with 40 C.F.R. §§ 22.07(b) and 22.16(c) and pursuant to the parties' approval by the signature(s) affixed above, the time for Respondent to file an answer is extended to the close of business on the 30th day of December, 1988.

Dated: November 28, 1988

ROBIE G. RUSSELL
REGIONAL ADMINISTRATOR

Musqueen L. Artanson
By Direction
Hearing Clerk, EPA Region 10